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concl.*

--22. (New) The communication system according to claim 10, wherein said at least one static node does not participate in the dynamic assignment protocol even though it is otherwise capable of doing so.--

REMARKS

This response cancels two dependent claims and adds two new dependent claims. Consequently, it is believed that no additional fees have been generated by this response. In addition, since this reply is being filed within three months of the mailing date of the Office Action, no extension fees are required. If it is determined, however, that additional fees have been generated, the Commissioner is hereby authorized to charge Deposit Account No. 18-1722 in the amount of such fees.

Claims 1, 2, 4, 7-11, 13-16 and 18 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,719,868 to Young (the '868 patent). It is believed, however, that the pending claims are allowable over the cited reference. The static nodes of the pending claims are not taught in the '868 reference, and they also differ from the characterization given them in the rejection presented in the official action.

The nodes disclosed in the '868 patent are all dynamic nodes. Each of the nodes of Figure 3 of the '868 reference, for example, are members participating in a dynamic assignment protocol. When one of the '868 nodes has data to transmit, it does so by announcing its assignment of a slot pair. The '868

patent does not disclose how to incorporate static nodes into the network with the dynamic nodes.

The "static node" of the presently pending claims is a member of a network that includes dynamic nodes. Unlike the dynamic nodes, however, the static node does not communicate by announcing its assignment of a slot pair pursuant to a dynamic assignment protocol. Rather, the static node communicates with other network nodes via a pre-assigned time slot. As noted in the pending specification, a static node is a node whose communications are allocated by a method other than dynamic assignment (see specification page 5 for example).


Contrary to the conclusion drawn in the official action (see page 3, paragraph g, of the office action), a dynamic node does not become equivalent to a static node when it has no user data to transmit. The term "static" is not equivalent to "inactive." Rather, the terms "dynamic" and "static" indicate whether or not a given node can perform a dynamic assignment.

Thus, a dynamic node continues to be a participant in the dynamic assignment protocol even when it has no data to transmit. Such a dynamic node, for example, can dynamically assign itself a slot the next time it has data to communicate. Further, when a dynamic node has finished communicating its data, other dynamic nodes can use the slot or slots in which it had been communicating. In contrast, a static node does not participate in the dynamic assignment protocol, it does not dynamically assign itself a time slot, and all of its

communication slots remain assigned to it even when it has nothing to communicate. Accordingly, the '868 patent does not disclose a network having dynamic nodes and at least one static node as is claimed in the pending claims.

Consequently, it is believed that the pending claims are allowable over the cited reference. Allowance of the pending claims is respectfully requested.

Respectfully submitted,



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